

THIS ORDER RELATES TO A
HEARING HELD ON
MARCH 18, 2024

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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IN RE:

Chapter 13
Case No. 123-41862-ESS

JOSEPH NORTON
aka JOSEPH S NORTON,

ORDER DISMISSING CASE

Debtor.

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UPON the January 10, 2024 written application of Krista M. Preuss, Chapter 13 Trustee, (the “Trustee”) seeking entry of an Order dismissing the instant Chapter 13 case pursuant to 11 U.S.C. §1307(c) and due notice of the aforesaid application having been given to all necessary parties; and

WHEREAS, on March 18, 2024, the Trustee appeared in support thereof, Narissa A. Joseph, Esq. appeared on behalf of the Debtor, and Jeremy S. Friedberg, Esq. appeared on behalf of ECP Property II LLC; and

WHEREAS, Debtor did not file written opposition to the Trustee’s Motion to Dismiss as required by E.D.N.Y. LBR 9013-1(b); and

WHEREAS, the Debtor has failed to comply with 11 U.S.C. §521(a)(3) and E.D.N.Y. LBR 2003-1(d); and

WHEREAS, the Debtor failed to comply with 11 U.S.C. §521(e)(2)(A)(i) in that the Debtor has failed to provide the Trustee with a copy of a federal income tax return or transcript for the most recent year 7 days before the first meeting of creditors; and

WHEREAS, the Debtor failed to comply with the disclosure requirements of E.D.N.Y. LBR 2003-1; and

WHEREAS, the Debtor failed to file and provide the Trustee with a copy of an affidavit by the Debtor stating the Debtor has paid all amounts that are required to be paid under a domestic support obligation or that the Debtor has no domestic support obligations as required by E.D.N.Y. LBR 2003-1(b)(ii) and (c); and

WHEREAS, the Debtor failed to file and provide the Trustee with a copy of an affidavit from the Debtor stating whether the Debtor has filed all applicable federal, state and local tax returns under the Bankruptcy Code Section 1308 as required by E.D.N.Y. LBR 2003-1(b)(iii) and (c); and

WHEREAS, based upon the findings of fact and conclusions of law as stated on the record, cause exists to dismiss this case pursuant to 11 U.S.C. §1307(c); it is accordingly

ORDERED, that the instant Chapter 13 case be dismissed pursuant to 11 U.S.C. §1307(c) of the Bankruptcy Code.

Dated: Brooklyn, New York
May 7, 2024



A handwritten signature in black ink, reading "Elizabeth S. Stong". The signature is fluid and cursive, with a long horizontal stroke at the end.

Elizabeth S. Stong
United States Bankruptcy Judge